IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Bail Appl..No. 5621 of 2007()

CMP.4228/2007 of J.M.F.C.,KASARAGOD

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CRIME NO.47/2007 OF KASARAGOD EXCISE RANGE

PETITIONER/ACCUSED

K.RAVEENDRA NAIK,
S/O. CHOMA NAIK,AGED 28 YEARS,
KOLAMKOLU,
PADY VILLAGE,KASARGOD DISTRICT.

BY ADV. SRI.T.MADHU

RESPONDENTS:

THE EXCISE INSPECTOR,
KASARAGOD EXCISE RANGE,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNALULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5621 of 2007

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Dated this the 19th day of September, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 8 litres of arrack on 13.08.2007. The petitioner surrendered later on 31.08.07 and he continues in custody from that date. The learned Public Prosecutor submits that there is no history of any criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on bail on the strength of this order prior to 29.09.2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees

Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE